

Reply to: New Castle County Civil Division

March 22, 2011

John A. Nichols
406 Meadow Lane
Middletown, DE 19709

Dear Mr. Nichols:

I have been asked to respond to your March 15, 2011 letter directed to Deputy Attorney General, Laura Gerard's attention (see attached).

The Sea Level Rise Advisory Committee ("SLRAC") was formed at the request of the Secretary of the Department of Natural Resources and Environmental Control ("DNREC"), pursuant to his inherent authority, in order to study the potential impacts of sea level rise and to advise and make recommendations to DNREC. Contrary to the assertions in your letter, the SLRAC has no authority "to pass regulations which will have the full force of law". They are; as their name suggests, an advisory committee.

Furthermore, it is my understanding that the SLRAC conducts its business in compliance with Delaware's Open Meeting Statute. Lastly, I am unable to concur with your assertion that SLRAC's activities violate the public trust or Delaware law.

Thank you for your interest in the workings of the SLRAC.

Very truly yours,

Kevin P. Maloney
Deputy Attorney General

KPM/grc/I/Misc
Enclosure

cc: Laura Gerard, Deputy Attorney General
Environmental Unit